

**APFEL LAW GROUP**

Attorney at Law

Seth Apfel, Esq. No. 032225

PO Box 8808

Phoenix, AZ 85066

Phone: (602) 499-8468

[seth@apfellowgroup.com](mailto:seth@apfellowgroup.com)

Attorney for Defendant Moore

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

United States of America,

Plaintiff,

vs.

Diana Marie Moore,

Defendant

Case No.: 2:23-cr-00040-SMB

**MOTION FOR SUBSTITUTION OF  
COUNSEL**

(Out of Custody)

IT IS HEREBY STIPULATED by and between present counsel, Suzuki Law  
Offices (Richard Suzuki and/or Sean McNally), and Seth Apfel, Apfel Law Group, that  
Seth Apfel and Apfel Law Group be substituted as attorney of record for Defendant  
Diana Marie Moore to represent her for sentencing only before the Court.

Given the Court's granting of the request to continue sentencing filed by Suzuki  
Law Offices, undersigned counsel does not expect any need for further continuances

1 barring unforeseen circumstances,<sup>1</sup> and expects to proceed with sentencing on August 19  
2 as ordered by this Court.

3 RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of June, 2024.

4  
5 By /s/ Richard Suzuki (with permission) By /s/ Seth Apfel  
6 Richard Suzuki, Esq. Seth Apfel, Esq.  
7 Suzuki Law Offices Apfel Law Group  
8 2929 E Camelback Rd, Ste 224 PO Box 8808  
9 Phoenix, AZ 85016 Phoenix, AZ 85066

10 **CONSENT**

11 I, Diana Marie Moore, Defendant in the above-entitled action, hereby consent to  
12 the substitution of current counsel, Richard Suzuki/Sean McNally, with Seth Apfel, as  
13 my attorney of record for sentencing only under the conditions specified herein.  
14

15 Date this 28<sup>th</sup> day of June, 2024.

16  
17 /s/ Diana Moore (by Seth Apfel with permission)  
18 Diana Moore  
19 Defendant  
20  
21  
22  
23  
24

---

25 <sup>1</sup> Ms. Moore wishes to be sentenced on August 19 and does not wish to seek additional  
26 continuances. Undersigned counsel already has familiarity with the underlying facts of the case  
27 because undersigned counsel represented a different defendant in a virtually identical state case,  
28 so counsel can get up to speed rather quickly. Unforeseen circumstances might include lack of a  
presentence report, or counsel's wife going into labor (unlikely, since she is due September 11).

**CERTIFICATE OF SERVICE**

I hereby certify that on June 28, 2024, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

**HONORABLE Susan Brnovich**

United States District Court-Phoenix

[brnovich\\_chambers@azd.uscourts.gov](mailto:brnovich_chambers@azd.uscourts.gov)

**Aron Ketchel**

Assistant United States Attorney

United States Attorney's Office-Phoenix

[Aron.ketchel@usdoj.gov](mailto:Aron.ketchel@usdoj.gov)

**Richard Suzuki**

Suzuki Law Offices

/s/Seth Apfel

Seth Apfel, Esq.

Attorney for Defendant *Moore*